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means for defining a new color based on the shade values applied for each of said document process color and for each of said at least one spot color; and

means for applying said defined new color to a document depicted visually on a computer monitor screen.

13. (amended) A process for digitally depicting a document having a combination of process colors and spot colors on a computer monitor screen, said process comprising the steps of:

defining the process colors;

defining the spot colors;

assigning shade values to each of said process colors;

assigning shade values to each of said spot colors;

defining a color based on the combination of said assigned shade values for each of said process colors and for each of said spot colors; and

applying said defined color to the document visually depicted on the computer monitor screen.

Remarks

The Applicant hereby requests the outstanding rejection of the above-identified application be reconsidered in view of the above amendments and following remarks.

These remarks are in response to the outstanding Office Action. This request for reconsideration is a full and timely response to that Action.

Response to Claim Rejections - 35 USC §102

As discussed in the remarks in the previous response, in order for the Patent Office to establish a prima facie case of anticipation, the Examiner must provide each of the following:

- 1: a single reference;
2. that teaches or enables
3. *each of the claimed elements* (as arranged in the claims)
4. expressly or inherently (and *if inherently, it must necessarily result from the reference, not simply may result*)

5. as interpreted by one of ordinary skill in the art.

The anticipatory reference must describe the subject matter of the claims with sufficient clarity and detail to establish that the subject matter existed, and this existence was recognized by persons of ordinary skill in the field of the invention.

The claims of the above-identified application were rejected in the Office Action as being anticipated by Gass, Jr. et al. In support the anticipation of the limitation in claim 1 of means for selecting at least one color component from a first color model; means for selecting at least one additional color component from at least one other color model and means for assigning percentages to each of said selected color components, the Office Action stated that:

(please note, fig 8, in correlation to column 9, lines 55 -58, "If *either of the RG or HLS color models* is selected, then the percentages 192 are listed in terms of red, green, blue, or hue, luminance, saturation, *respectively.*" (emphasis added))

Please note the emphasized portions for the means for selecting either of the color models, not both. The referenced means are to allow a particular color, either RGB or HLS, not both, to be edited by altering the percentage values of the components of that particular color model. Nowhere in Gass, Jr. et al. is there a discussion, disclosure, suggestion or teaching of *selecting a component from a first color model and a component from a different color model*, assigning percentages to each of the selected color components from the first color model and from the second color model to create a user-defined color that *represents the combination of the first color model component and the second color model component*. Glass, Jr., et al. merely allows one or the other color model to be selected to adjust the percentages of the components of the selected color model. Even taking the figure 8 in the most favorable light of the Office Action, only one or the other color model may be selected. For example, as shown in figure 8, the CMYK model is chosen which allows the Cyan, Magenta, Yellow, and Black color components to be adjusted. The example shown in Figure 8 does not allow the percentages of RGB, LAB or other color model components to be adjusted at the same time to create a user-defined color that represents the combination of two or more color models. This is further clarified in Col. 9, lines 54 - 58. Clearly, Gass Jr., et al. fails to anticipate the presently claimed inventions, particularly, since Gass Jr., et al. fails to disclose the ability to select components of two or more separate color models in order to create a user defined color.

Gass, Jr. et al. is not concerned with the problem that the present invention solves. Gass Jr. et al. is attempting to allow users to modify EPS files without returning to the originating program. Gass, Jr. et al. discloses the ability to edit particular colors saved in EPS files. This is clarified in Column 6, line 63 through column 7 line 54. The system of Gass, Jr. et al. saves identifiable colors in a color EPS file in a color palette. These identifiable colors include spot colors and percentages of CMYK inks from all of the process color graphics. *The palette differentiates between process and spot colors.* This information is provided to commercial printers in order to create the number of separations for the printing process. A different separation is required for each of the different spot colors as well as for each of the CMYK inks. The system does allow colors to be added or modified within the palette. It also allows spot colors to be converted to process colors. *It does not allow a user defined color to be created from components of a process color and from components of a spot color.* It is an either/or system in editing colors in the Gass, Jr. et al. system. *A particular color model is selected, and the percentages of the components of that color model may then be edited. See Figures 8, 9 and column 7, lines 20 – 54, column 9, line 45 – column 10, lines 19.* No where does Gass, Jr. et al. discuss selecting two color models, and modifying the components of both color models to create a third color in the form of a process color. Figure 8 clearly shows this lack of capability. See the selection of a CMYK color model and the CMYK components.

Further, GAss, Jr. et al. is not concerned, nor does it disclose, suggest or otherwise teach the visual depiction of a color formed from two distinct color models. This limitation is set forth in claims 2 – 18.

In the outstanding Office Action, the Gass, Jr. et al. reference fails to teach or enable the claimed elements of defining a new color for visual depiction by combining the components of two separate color models. This reference fails to disclose defining a new color based on assigning percentages to each of the components of the two separate respective color models. Prior to the present invention, it has not been possible to accurately visually depict the combination of process colors and spot colors previously. Process colors are by definition subtractive colors in that the image begins white, then as process color components are added, the image darkens. Thus, process colors are preferred for printing purposes. Spot colors are by definition "additive". The image begins dark, such as on a computer monitor screen, and as color components are added, the image lightens. Thus spot colors are desired for radiant light

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sources. In previous systems, if a spot color has been added to a process color, the resulting displayed image is rendered brown. The printed image will be accurate, but the displayed image is not. The present invention is concerned with the depiction of the combined spot and process colors. Gass, Jr. et al on the other hand, is concerned with modifying the color of graphics in an EPS file without reverting back to the originating program.

Gass, Jr. et al. does not disclose, suggest, or teach in any manner assigning percentages to each of the color components of different color models to define a new color, or defining a new color for visual depiction by layering components of a spot color in accordance with shade values onto the components of a process color.

The Applicants respectfully submit that the inventions as set forth in claims 2 – 19 are not anticipated by Gass, Jr. et al. or any of the other prior art citations. The Applicants respectfully request that the claims be indicated as allowable over the prior art. The Examiner is respectfully requested to telephone the undersigned if further discussion would advance the prosecution of this application.

Respectfully submitted,

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Marked Changes to the Amended Claims

2. (amended) A system for determining a coordinate set for visual depiction onto a computer monitor of a process color having at least one [other] spot color applied to it, said system comprising:

means for defining the process color [and the at least one other color applied to it] into process color components [,spot color components] and percentage values;

means for defining the at least one spot color into spot color components and percentage values;

means for converting said process color components and their percentage values into a coordinate set values for visual depiction;

means for determining said coordinate set values of said at least one spot color components;

means for applying percentages to said coordinate set of values of said at least one spot color components according to said percentage values for said at least one spot color components;

means for determining a value for said percentages of said at least one spot color components layered onto said coordinate set of values converted from said process color components; and

means for converting said determined value for said percentages of said at least one spot color components layered onto said coordinate set of values converted from said process color components into said coordinate set.

7. (amended) A system for visually depicting a document having at least one spot color applied onto a document process color on a computer monitor screen, said system comprising:

means for defining the document process color;

means for defining each of at least one spot [color] colors to be applied onto the document process color;

means for applying shade values to each of said document process color [and to each of said at least one spot color];

means for applying shade values to each of said at least one spot colors;

means for defining a new color based on the shade values applied for each of said document process color and for each of said at least one spot color; and

means for applying said defined new color to a document depicted visually on a computer monitor screen.

13. (amended) A process for digitally depicting a document having a combination of process colors and spot colors on a computer monitor screen, said process comprising the steps of:

defining the process colors [and the spot colors];

defining the spot colors;

assigning shade values to each of said process colors [and to each of said spot colors];

assigning shade values to each of said spot colors;

defining a color based on the combination of said assigned shade values for each of said process colors and for each of said spot colors; and

applying said defined color to the document visually depicted on the computer monitor screen.